

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATHANIEL WEISKIRCHER et al.,

Plaintiffs,

v.

AMERICAN AIRLINES, INC.,

Defendant.

No. 2:19-cv-2582-JAM-KJN

ORDER

(ECF Nos. 23, 24, 27)


On December 30, 2020, defendant American Airlines filed a motion to terminate this litigation as sanctions for plaintiffs' ongoing failure to respond to discovery requests and violation of court orders. (ECF No. 27.) On the court's own motion and pursuant to Local Rule 230(g), the hearing on this motion currently scheduled for February 11, 2021, is VACATED, and the matter is taken under submission without appearance and oral argument. The opposition or statement of non-opposition and reply due dates shall be filed in accordance with the original motion hearing date. That is, any opposition by plaintiffs is due no later than February 4, 2021, and any reply thereto by defendant is due no later than February 9, 2021. If the court determines that oral argument is needed, it will be scheduled at a later date.

In addition to addressing the discovery violations asserted in defendant's motion, any opposition by plaintiffs shall also address why the court should not impose sanctions against

1 plaintiffs' counsel for his lack of compliance with other court orders and the Local Rules,
2 including: (1) his as yet unexplained failure to appear at the December 3, 2020 hearing on
3 defendant's motion to compel (ECF No. 22); (2) his failure to respond to the ensuing order to
4 show cause (ECF No. 23); (3) his failure to timely pay the \$500 sanctions previously imposed
5 (ECF No. 24); and (4) his failure to advise the court that he has sent a copy of the court's
6 December 16, 2020 sanctions order to his clients (ECF No. 24).¹

7 IT IS SO ORDERED.

8 Dated: January 31, 2021

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10 KENDALL J. NEWMAN
11 UNITED STATES MAGISTRATE JUDGE

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27 ¹ The docket reflects that plaintiffs' counsel paid the \$500 sanction on January 15, 2021, some
28 two weeks after payment was due. (See ECF No. 24 (December 16, 2020 order requiring
payment within 15 days).) Plaintiffs' counsel has not otherwise responded to the court's orders.